

Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554

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In the Matter of)
) CC Docket No. 96-28
Amendment)
of Part 68 of the Commission's)
Rules)

NYNEX COMMENTS

The NYNEX Telephone Companies¹ ("NYNEX") hereby comment on the Commission's February 29, 1996 Notice of Proposed Rulemaking (NPRM) in the above-captioned matter.

In the NPRM, the Commission proposes to amend its Part 68 rules² to harmonize U.S. and Canadian requirements for connection of terminal equipment to the public switched network. The NPRM is based on a Petition for Rulemaking that was filed on March 9, 1995 by the Telecommunications Industry Association (TIA). In its Petition, TIA requested that the Commission initiate a rulemaking proceeding to harmonize the Part 68 rules with corresponding sections of the Canadian equipment certification regulations, CS-03. NYNEX supported TIA's Petition and now fully supports the proposed amendments to Part 68.

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¹ The NYNEX Telephone Companies are New England Telephone and Telegraph Company and New York Telephone Company.

² The Commission's Part 68 rules govern the terms and conditions under which customer-provided terminal equipment may be connected to the telephone network. It is designed to ensure that customers and manufacturers can connect terminal equipment to the network without harming the network.

The proposed Part 68 amendments have been the subject of substantial debate over the past five years by a broad range of industry representatives from both the United States and Canada. During this period, the Commission's Domestic Facilities Staff was kept apprised of the industry's proposals through the "FCC and Industry Part 68 Administrative Procedures Ad Hoc Working Group."

NYNEX and other LECs monitored the development of the proposed amendments to assure that the technical standards developed by the industry would not impair the reliability or integrity of the public switched network, or impose burdensome costs by requiring any undue alterations to the network. NYNEX is satisfied that the proposed rules meet these concerns and therefore supports their adoption by the Commission.

Under the proposed rules, manufacturers will no longer have to design different telephones for the U.S. and Canadian markets, thus eliminating a *de facto* barrier to trade that was inconsistent with the goals of the North American Free Trade Agreement (NAFTA). NYNEX thus agrees with the Commission's tentative conclusion that harmonizing the Commission's Part 68 Rules with the corresponding sections of the Canadian certification regulations will encourage free trade, lead to greater efficiencies in the manufacturing of terminal equipment, assure the continued reliability of the public switched network, and streamline the Part 68 registration process.

The Commission also seeks comment on whether, and to what extent, it should rely on industry standards bodies to develop changes to the Part 68 rules. The Commission expresses concern that such reliance may be inconsistent with its

responsibility to ensure subscribers' continued ability to make beneficial use of interconnected devices and communications systems.

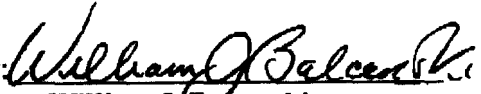
NYNEX continues to believe that the Commission should simplify its Part 68 rules. Instead of specifying the technical interfaces and requirements for terminal equipment in the rules, the Commission should simply adopt a rule that requires manufacturers of such equipment to comply with the technical requirements and technical recommendations developed by appropriate industry standards bodies under the Commission's auspices, the process that in fact was followed here. As these standards change from time to time, there would be no need to revise the Part 68 rules. Instead, manufacturers would simply have to comply with the current industry-supported technical requirements.

NYNEX believes that this proposal will enable the Commission to avoid the burden of constantly conducting Part 68 rulemaking procedures to update its rules as technology evolves. The Commission can still assure itself that its statutory responsibility and public interest concerns are met by specifying guidelines and processes that the industry standards bodies must follow in developing new or revised technical rules for terminal equipment. Through its oversight of the industry standards bodies, the Commission should be able to satisfy itself as to the reasonableness of any industry-developed interface requirements and technical recommendations that are ultimately incorporated by reference in the Part 68 rules.

WHEREFORE, for the reasons set forth above, the Commission should adopt the proposed amendments to its Part 68 Rules.

Respectfully submitted,

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